



## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference K 57 792/7ch	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/000447	International filing date (day/month/year) 17 January 2003 (17.01.2003)	Priority date (day/month/year) 18 January 2002 (18.01.2002)
International Patent Classification (IPC) or national classification and IPC B42D 15/10		
Applicant GIESECKE & DEVRIENT GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.  
  
☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of <del>submission</del> of the demand 29 July 2003 (29.07.2003)	Date of completion of this report 22 April 2004 (22.04.2004)
Name and mailing address of the IPEA/EP  Facsimile No.	Authorized officer  Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/000447

## I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

☐ the international application as originally filed.

☒ the description, pages 1-15, as originally filed,  
 pages \_\_\_\_\_, filed with the demand,  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

☒ the claims, Nos. \_\_\_\_\_, as originally filed,  
 Nos. \_\_\_\_\_, as amended under Article 19,  
 Nos. \_\_\_\_\_, filed with the demand,  
 Nos. 1-28, filed with the letter of 12 March 2004 (12.03.2004),  
 Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

☒ the drawings, sheets/fig 1/3-3/3, as originally filed,  
 sheets/fig \_\_\_\_\_, filed with the demand,  
 sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
 sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

2. The amendments have resulted in the cancellation of:

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheets/fig \_\_\_\_\_

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

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## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1-28	YES
	Claims		NO
Inventive step (IS)	Claims	1-28	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-28	YES
	Claims		NO

### 2. Citations and explanations

#### 1. Claims 1 and 20

##### 1.1 Prior art:

Document D1 (EP-A-0 341 002), which is cited in the description, is the closest prior art and discloses a security element having all the features of the preamble of independent product claim 1 and the method features which correspond to these product features and are set out in the independent method claim 20. Claims 1 and 20 are therefore novel within the meaning of PCT Article 33(2).

##### 1.2 Problem:

With this prior art as point of departure, and in light of the difficulties explained in the introductory part of the description, the stated problem of the present application is to devise an improved multi-layer security element with an optimized, that is to say intensive, colour shift effect, and optimized magnetic properties, and a method for producing this security element.

## 1.3 Solution:

The specific combination of all features in each of the two independent claims 1 and 20, especially the special layer structure comprising a reflective layer **between** the magnetic layer and the interference element according to the characterizing part of claim 1, which layer structure is also defined in claim 20, is not suggested or disclosed in the prior art, and hence an inventive step within the meaning of PCT Article 33(3) is substantiated.

## 2. Claims 2 to 19 and 21 to 28:

The present claims 2 to 19 define advantageous embodiments of a security element which in each case have all the features of independent claim 1, whereas claims 21 to 28 define advantageous embodiments of a method of production which in each case have all the features of independent claim 20. Consequently, claims 2 to 19 and 21 to 28 likewise meet the requirements for novelty and inventive step of PCT Article 33.